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SUBJECT: MEXICO-CUBA TALKS PRODUCE LITTLE MOVEMENT ON
REPATRIATIONS

¶1. Mexican and Cuban officials met in April to discuss building cooperation on migration issues including combating criminal trafficking rings, resolving an impasse over repatriations, and facilitating the emission of migration documentation. The Foreign Ministry's (SRE) Deputy Director for the Office of South America Victor Arriaga told poloffs that the two sides hoped to sign a migration agreement addressing these matters when Cuba's visited Mexico in September. He conceded, however, the GOM would be hard-pressed to forge progress on repatriations as the GOC remained resistant to repatriating Cubans who had entered through a third country. End Summary.

¶2. Cuba's delegation was headed by Ambassador Carlos Zamora Rodr!guez, Director of Foreign Ministry's Office of Consular Affairs and Cubans Residing Abroad. Zamora was apparently accompanied by legal, migration, and intelligence experts. The Mexican delegation was headed by Minister Daniel Hern ndez Joseph, General Director of the Foreign Ministry's Office of Protection and Consular Affairs. He was accompanied by representatives from the Attorney General's Office (PGR), the Interior Ministry (SEGOB), Communications and Transportation Ministry (SCT) and the Navy (SEMAR). The meeting was held within the framework of the Working Group on Migration and Consular Affairs which had not convened since ¶2001.

¶3. According to SRE's Arriaga, the meeting centered on three issues:

-- Combating trafficking rings: An increasing number of Cubans seek to transit Mexico as a conduit to enter the U.S. Frequently they rely on organized crime networks. SRE's Evith Robledo from the Office of North America made a point of stressing that the two sides also touched upon these groups' involvement in TIP particularly in the context of Mexico's new anti-TIP law. Arriaga remarked that the two sides' law enforcement and intelligence experts engaged on how they might better coordinate investigative efforts.

-- Repatriations: According to Arriaga, approximately 20 percent of the Cubans who enter the U.S. from Mexico entered Mexico with legal documentation; the balance, then, enter without documentation. Mexico would like to repatriate all Cubans it detains without documentation regardless of whether they enter Mexico directly or via a third country. He remarked that they are a drain on resources while held under detention. Historically, however, Cuba has accepted a relatively small percentage Q) 4-5 percent of those detained -- refusing to take back those who entered Mexico from a third country such as Guatemala. Arriaga lamented that the Cubans did not move on this issue during their April meeting.

He was not optimistic about the Cubans changing their tact between now and September.

Even if a migration accord is finalized, most Cubans entering Mexico for the purpose of transiting through to the U.S. will continue to make their way north. Undocumented travelers can be held for no longer than 30 days. While, on occasion, Mexico has held undocumented Cubans for longer periods waiting for a GOC response to GOM repatriation requests, Cuban migrants denied repatriation are given a "multa" (fine) which requires them to pay a fee of 5,000 pesos (about \$500).

Upon payment, they are presented with an official exit document called an "oficio de salida" which allows them 30 days to leave Mexican soil. The Cuban migrants are then free to continue their journey north to the United States. Many Cubans who enter Mexico via Central America are quite familiar with this process and upon encountering INM, immediately request their "oficio de salida." Those who expect to be repatriated request a legal review Q) an "amparo" -- of their case as a delaying tactic. (Post comment: A new law, pending President Calderon's signature, de-criminalizes undocumented arrivals in Mexico. We will be examining to see what impact this has on transit through Mexico of all third country nationals.)

Arriaga described the sweeping majority of Cubans detained by INM as "economic migrants" who seek ultimately to enter the U.S. for economic reasons. He said that very few claim to suffer or have a fear of political persecution. He assured poloffs such claims are thoroughly investigated and maintained that many of those who make these claims rely on

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U.S. lawyers for legal counsel.

-- Travel documentation: Arriaga stressed the need to improve the issuance of travel documents to facilitate economic commerce between the two countries. According to Arriaga, the system is beset with administrative delays due the GOC's reliance on antiquated technology. In view of rising levels of trade, Mexico was keen on Cuba doing more to address this issue.

Next Steps

14. Arriaga told poloffs the working group would next convene in Havana in July with Mexico sending a select team of officials representing the ministries that attended the April meeting. Both sides aim to have an agreement ready on migration issues for their ministers to sign when the Cuban Foreign Minister visits Mexico for a meeting scheduled for September 11.

15. Comment: Mexico regards Cubans using its country as a springboard to enter the U.S. as an irritant in its relations with the U.S. and Cuba. Unfortunately, Arriaga was not optimistic about convincing the Cuban government to take back Cubans who have entered Mexico illegally from a third country. Cuba seeks warmer relations with Mexico but likely is not keen to embrace the economic burden of repatriating the thousands of Cubans entering Mexico would represent. Notwithstanding the impasse over repatriation, the SRE signaled it was hope the sides would come to an understanding on enough issues to sign an agreement come September when the Cuban Foreign Minister visits. Visit Mexico City's Classified Web Site at <http://www.state.sgov.gov/p/wha/mexicocity> and the North American Partnership Blog at <http://www.intelink.gov/communities/state/nap> / GARZA